

PROB 12B
(12/98)

United States District Court

For

The Western District of New York

Request for Modifying the Conditions or Term of Supervision

With Consent of the Offender

(Probation Form 49, Waiver of Hearing is Attached)

Name of Offender: David Jakubonis

Case Number: 6:22-04086M-001

Name of Sentencing Judicial Officer: Honorable Marian W. Payson, U.S. Magistrate Judge

Date of Original Sentence: December 15, 2023

Original Offense: Assaulting a Federal Officer in violation of Title 18 U.S.C. § 351(c)

Original Sentence: Three (3) years probation with the following special conditions: drug testing/treatment, no alcohol use, alcohol testing, mental health treatment, and search.

Type of Supervision: Probation

Date Supervision Commenced: December 15, 2023

PETITIONING THE COURT

- ☐ To extend the term of supervision for years, for a total term of years.
- ☒ To modify the conditions of supervision as follows:

The defendant shall comply with the conditions of the Location Monitoring Program (curfew component) for a period of four (4) months. This curfew shall be from 8:00p.m. to 8:00a.m., or as adjusted by the U.S. Probation Office to be less restrictive for employment, counseling, emergencies, or other acceptable reasons. The defendant shall wear (an) electronic monitoring device(s) and shall follow the monitoring procedures as outlined in Probation Form 61. The defendant is required to contribute to the cost of services rendered (co-payment).

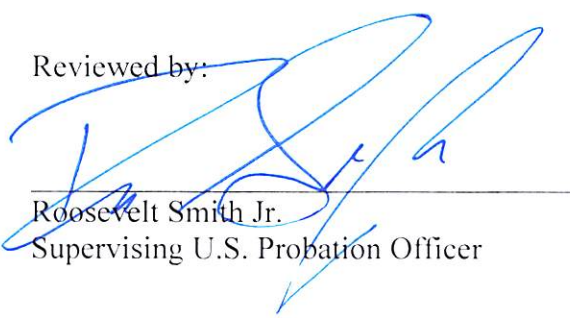
CAUSE

The defendant tested positive for marijuana on the following dates and subsequently signed admission forms: January 13, 2024, February 20, 2024, and March 22, 2024. The defendant has been enrolled in drug treatment at the Veterans Outreach Center since his probation term commenced.

To address the offender's non-compliance, he has agreed to a punitive sanction of four (4) months curfew to be monitoring by location monitoring. The offender reviewed a Probation 49; Waiver of Hearing to Modify Conditions of Probation/Supervised Release to include the curfew with location monitoring. He affixed his signature to the document and agreed to the modification stated therein.

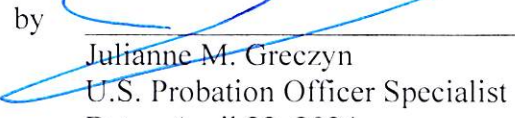
RE: DAVID JAKUBONIS
6:22-04086M-001

Reviewed by:



Roosevelt Smith Jr.
Supervising U.S. Probation Officer

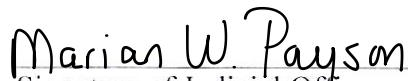
Respectfully submitted,

by 

Julianne M. Greczyn
U.S. Probation Officer Specialist
Date: April 22, 2024

THE COURT ORDERS:

- ☐ No Action
- ☐ The Extension of Supervision as Noted Above
- ☒ The Modification of Conditions as Noted Above
- ☐ Other



Signature of Judicial Officer

April 22, 2024

Date

PROB 49
(Revised 11/98)

**United States District Court
Western District of New York**

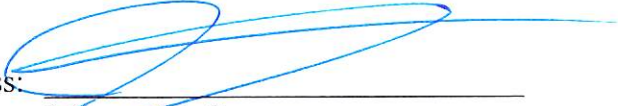
**Waiver of Hearing to Modify Conditions
Of Probation/Supervised Release or Extend Term of Supervision**

I have been advised and understand that I am entitled by law to a hearing and assistance of counsel before any unfavorable change may be made in my Conditions of Probation and Supervised Release or my period of supervision being extended. By "assistance of counsel," I understand that I have the right to be represented at the hearing by counsel of my own choosing if I am able to retain counsel. I also understand that I have the right to request the court to appoint counsel to represent me at such a hearing at no cost to myself if I am not able to retain counsel of my own choosing. I further understand that all previously imposed conditions will remain in effect.

I hereby voluntarily waive my statutory right to a hearing and to assistance of counsel. I also agree to the following modification of my Conditions of Probation and Supervised Release or to the proposed extension of my term of supervision:

The defendant shall comply with the conditions of the Location Monitoring Program (curfew component) for a period of four (4) months. This curfew shall be from 8:00p.m. to 8:00a.m., or as adjusted by the U.S. Probation Office to be less restrictive for employment, counseling, emergencies, or other acceptable reasons. The defendant shall wear (an) electronic monitoring device(s) and shall follow the monitoring procedures as outlined in Probation Form 61. The defendant is required to contribute to the cost of services rendered (co-payment).

Witness:


Julianne M. Greczyn
U.S. Probation Officer Specialist

Signed:


David Jakubonis

4-12-24

Date